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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,219	07/28/2003	Russell E. Blette	58800US002	5459

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EXAMINER

ROWAN, KURT C

ART UNIT	PAPER NUMBER
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3643

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/628,219

Applicant(s)

RUSSELL E. BLETTE

Examiner

Kurt Rowan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sept. 21, 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 5, 12, 13 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-11, 14, 15, 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on Sept. 21, 2005 has been entered.

Drawings

2. The drawings were received on Sept. 21, 2005. These drawings are acceptable.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-8, 14-15, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein '645 in view of Klein '852 for substantially the same reasons stated in the last Office Action.

The patents to Klein show fishing line connectors. Klein '645 shows a female connector H having an outer surface with first and second opposite ends. Klein shows the outer surface having an aperture 25 therein. Klein shows a first end connected to a

first fishing line section L. Klein shows a second end having a coaxial opening 23. Klein shows the connector having a coaxial interior feature 30 with radial extent. Klein '645 shows a knot 33 in a second fishing line F that acts to keep the line in the connector. The patent to Klein '852 shows a similar connector having a male connector 41 having a radial extent greater than the diameter of the female connector 45 due to barbs 51. At least one of the connectors is resilient, such as the barbs 51 of the male connector, so that the second end of the male connector compresses or the interior feature of the female connector expands to allow passage of the second end of the male connector axially past the interior feature. In reference to claims 1, 14, and 18, it would have been obvious to provide Klein '645 with a male connector to replace the knot in the line since merely one equivalent connector is being replaced by another and the function is the same. In reference to claim 2, inherently, in Klein '645, the female connector is removably connected to the first fishing line section. In reference to claim 3, Klein shows the axial bore of first end of the female connector having a diameter greater than a diameter of an end of the first fishing line section and less than the diameter of a knot formed at an end of the first fishing line. In reference to claim 4, Klein '852 shows a male connector with a head (not labeled but see Fig. 2) at a first end and a plurality of petals 51 having a greater radial extent than a radial extent of the head. In reference to claim 18, Klein does not disclose replacing line segments by cutting the line and then discarding the line and male connector and replacing the section with a second male connector and another fishing line section, but it would have been obvious to do so in order to change rigs mounted to the male connector.

3. Claims 9-11, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein '645 in view of Klein '852 as applied to claim 1 above, and further in view of Boyer for substantially the same reasons stated in the last Office Action.

The patents to Klein have been discussed above and do not show a float used with the rig. The patent to Boyer shows a float 10. In reference to claim 9 and 17, it would have been obvious to provide Klein with a float as shown by Boyer to fish at a certain depth. It would have further been obvious to pass the end of the first fishing line through the bore of the float noting Fig. 2 of Boyer. In reference to claim 10, Boyer shows a radically symmetric float. In reference to claim 11, Boyer shows a tapered float in Figs. 1-2.

Response to Arguments

4. Applicant's arguments filed Sept. 21, 2005 have been fully considered but they are not persuasive. Applicant argues that the references to Klein do not teach the use of a male connector having resilient petals that deform when moved past an interior feature of a female connector. However, as stated by Klein '852 in column 4, lines 37-50, "the barbs are slanted away from the end of the hook to permit the shank to be easily inserted into the socket 46 as shown in Fig. 5 but to prevent its withdrawal". For this statement to be true there needs to be some deformation of the barbs 51. Since if there was no deformation, the barbs and the male connector would be difficult to insert because they would either deforming or cutting the female connector and easier to remove because the female connector is cut or deformed. In this case there is probably some deformation of both the barbs and the female connector. Hence the barbs can be

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considered as resilient petals. Further it appears that at least part of claim 4 is now redundant and should be canceled or deleted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kurt Rowan whose telephone number is (571) 272-6893. The examiner can normally be reached on Monday-Thursday 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kurt Rowan
Primary Examiner
Art Unit 3643

KR